

P.L. 1997, CHAPTER 324, *approved January 8, 1998*
Senate, No. 493

1 **AN ACT** concerning impounded animals and amending P.L.1941,
2 c.151.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 16 of P.L.1941, c.151 (C.4:19-15.16) is amended to
8 read as follows:

9 16. Any person appointed for the purpose by the governing body
10 of the municipality shall take into custody and impound or cause to be
11 taken into custody and impounded, and thereafter destroyed or offered
12 for adoption as provided in this section:

13 (a) Any dog off the premises of the owner or of the person keeping
14 or harboring said dog which said official or his agent or agents have
15 reason to believe is a stray dog;

16 (b) Any dog off the premises of the owner or of the person keeping
17 or harboring said dog without a current registration tag on his collar;

18 (c) Any female dog in season off the premises of the owner or of
19 the person keeping or harboring said dog;

20 (d) Any dog or other animal which is suspected to be rabid;

21 (e) Any dog or other animal off the premises of the owner reported
22 to, or observed by, a certified animal control officer to be ill, injured
23 or creating a threat to public health, safety or welfare, or otherwise
24 interfering with the enjoyment of property.

25 If any animal so seized wears a collar or harness having inscribed
26 thereon or attached thereto the name and address of any person or a
27 registration tag, or the owner or the person keeping or harboring said
28 animal is known, any person authorized by the governing body shall
29 forthwith serve on the person whose address is given on the collar, or
30 on the owner or the person keeping or harboring said animal, if
31 known, a notice in writing stating that the animal has been seized and
32 will be liable to be offered for adoption or destroyed if not claimed
33 within seven days after the service of the notice.

34 A notice under this section may be served either by delivering it to

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 the person on whom it is to be served, or by leaving it at the person's
2 usual or last known place of abode, or at the address given on the
3 collar, or by forwarding it by post in a prepaid letter addressed to that
4 person at his usual or last known place of abode, or to the address
5 given on the collar.

6 Any person authorized by the governing body may cause an animal
7 to be destroyed in a manner causing as little pain as possible and
8 consistent with the provisions of R.S.4:22-19 or to be offered for
9 adoption seven days after seizure; provided that:

10 (1) Notice is given as set forth above and the animal remains
11 unclaimed; or,

12 (2) The owner or person keeping or harboring the animal has not
13 claimed the animal and paid all expenses incurred by reason of its
14 detention, including maintenance costs not exceeding \$4.00 per day;
15 or,

16 (3) The owner or person keeping or harboring a dog which was
17 unlicensed at the time of seizure does not produce a license and
18 registration tag for the dog.

19 At the time of adoption, the right of ownership in the animal shall
20 transfer to the new owner. No dog or other animal so caught and
21 detained or procured, obtained, sent or brought to a pound or shelter
22 shall be sold or otherwise made available for the purpose of
23 experimentation. Any person who sells or otherwise makes available
24 any such dog or other animal for the purpose of experimentation shall
25 be guilty of a [disorderly persons offense] crime of the fourth degree.

26 After observation, any animal seized under this section suspected
27 of being rabid shall be immediately reported to the executive officer of
28 the local board of health and to the Department of Health.

29 (cf: P.L.1987, c.376, s.1)

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31 2. This act shall take effect immediately.
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34 STATEMENT
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36 The penalty for selling or otherwise making available an impounded
37 animal for experimentation is a disorderly persons offense, which
38 carries a maximum term of imprisonment of six months and a
39 maximum fine of \$1,000. This bill would increase the penalty to a
40 crime of the fourth degree, which carries a maximum term of
41 imprisonment of 18 months and a maximum fine of \$7,500.
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45 _____
46 Increases penalty for making impounded animals available for
experimentation.